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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/780,866

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EXAMINER

GARY, ERIKA A

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

07/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/780,866	Applicant(s) AHN, KYE-HYUK	
	Examiner Erika A. Gary	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/21/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-18, 20 and 22-38 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 15-18, 20, 23, 25-28, 31-36 and 38 is/are rejected.
- 7) ☒ Claim(s) 11-14, 22, 24, 29, 30 and 37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) TM | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities: on line 13, "the achieve" should be "to achieve". Appropriate correction is required.
2. Claim 12 objected to because of the following informalities: it is dependent upon claim 9, which was canceled; it appears it should be dependent upon claim 2. Appropriate correction is required.
3. Claim 15 is objected to because of the following informalities: on page 6, line 2, "the achieve" should be "to achieve". Appropriate correction is required.
4. Claim 33 is objected to because of the following informalities: on lines 2 and 4, "sever" should be "server". Appropriate correction is required.
5. Claim 38 is objected to because of the following informalities: it appears claim 38 should be dependent upon claim 33, not claim 25. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 15, 25 and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Rashid et al., US Patent Application Publication Number 2004/0230661 (hereinafter Rashid).

Regarding claims 1, 15, 25, and 33, Rashid discloses a context synchronization method performed in a radio system having a client and server communicating with each other comprising: performing idle and normal procedures in the client; performing a recovery procedure if an error occurs in performing the idle and normal procedures, the error occurring when the client and server have different context information; and performing a re-attach procedure and an activation procedure according to the error and an error occurring point, wherein performing said recovery procedure includes: transmitting context information managed by the server to the client when the error occurs in the client, to achieve synchronization between the client and server as a result of the client and server having same context information, and transmitting context information managed by the client to the server when the error occurs in the server, the achieve synchronization between the server and client as a result of the server and client having same context information, wherein transmitting the context information to the client or server occurs without performing a power down operation or returning to an initialization state [paragraphs 0063, 0076].

8. Claims 1-8, 10, 15-18, 20, 23, 25-28, 31-36, ad 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Rune et al., US Patent Number 6,731,932 (hereinafter Rune).

Regarding claims 1, 15, 25, and 33, Rune discloses a context synchronization method performed in a radio system having a client and server communicating with each other comprising: performing idle and normal procedures in the client; performing a recovery procedure if an error occurs in performing the idle and normal procedures, the error occurring when the client and server have different context information; and performing a re-attach procedure and an activation procedure according to the error and an error occurring point, wherein performing said recovery procedure includes: transmitting context information managed by the server to the client when the error occurs in the client, to achieve synchronization between the client and server as a result of the client and server having same context information, and transmitting context information managed by the client to the server when the error occurs in the server, the achieve synchronization between the server and client as a result of the server and client having same context information, wherein transmitting the context information to the client or server occurs without performing a power down operation or returning to an initialization state [figs. 2-10; col. 8: line 54 – col. 9: line 41; col. 10: line 60 – col. 11: line 32; col. 18: line 65 – col. 19: line 67].

Regarding claims 2, 17, 31, and 38, Rune discloses the client is a mobile station and the server is a network [fig. 1].

Regarding claims 3, 16, and 32, Rune discloses the radio system is a general packet radio service (GPRS) system which deals with packet communications [col. 14: lines 9-21].

Regarding claim 4, it is inherent in the art for a radio system to operate based on a protocol which includes peers having same information which is updated at predetermined time periods.

Regarding claim 5, Rune discloses the protocol includes a GPRS mobility management (GMM) protocol and a session management (SM) protocol [col. 3: lines 32-35].

Regarding claims 6, 7, 20, 26, 27, 34, and 35, Rune teaches that the error is a GMM failure of a PDP failure [col. 7: lines 16-17; col. 19: lines 1-3; col. 18: line 65 – col. 19: line 67]

Regarding claim 8, Rune discloses the error occurring point is at the MS or the network [col. 8: line 54 – col. 9: line 41; col. 10: line 60 – col. 11: line 32; col. 18: line 65 – col. 19: line 67].

Regarding claims 10 and 23, Rune discloses if the failure occurs in the network, the network receives the context information of the MS by sending a packet paging with an international mobility subscriber identity (IMSI) to the MS so that the received information of the MS is used as context information of the network [col. 12: lines 28-31].

Regarding claim 18, Rune discloses the mobile station registers itself to the network through location update (LUP) or routing area update (RAU) [fig. 9].

Regarding claims 28 and 36, Rune discloses said information is one of status information or context information stored in the server [col. 8: line 54 – col. 9: line 41; col. 10: line 60 – col. 11: line 32; col. 18: line 65 – col. 19: line 67].

Allowable Subject Matter

9. Claims 11-14, 22, 24, 29, 30, and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

10. Applicant's arguments with respect to Lupien and the pending claims have been considered but are moot in view of the new ground(s) of rejection.

11. Applicant's arguments filed May 21, 2007 have been fully considered but they are not persuasive. Applicant argues that Rashid does not teach the new limitations of claims 1, 15, 25, and 33. However, the Examiner respectfully disagrees and contends that Rashid teaches these claims as outlined above.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Haumont et al., US Patent Number 6,233,458, disclose a re-routing procedure including modifying context information.

Rashid et al., US Patent Application Publication Number 2004/0139235, disclose local intelligence, caching and synchronization process.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

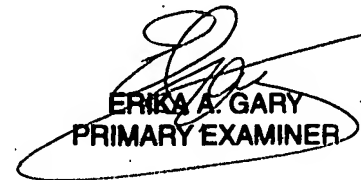
14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 571-272-7841. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EAG
July 26, 2007


ERIKA A. GARY
PRIMARY EXAMINER